



U.S. Department of Justice

*United States Attorney
Southern District of New York*

86 Chambers Street
New York, New York 10007

March 19, 2008

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: <u>3/24/08</u>
DATE FILED: <u>3/24/08</u>

By Hand

Hon. John G. Koeltl
United States District Judge
United States Courthouse
500 Pearl Street, Room 1030
New York, New York 10007

Re: Elaine Johnson v. Astrue
07 Civ. 9294 (JGK)

**APPLICATION GRANTED
SO ORDERED**

3/21/08 John G. Koeltl, U.S.D.J.

Dear Judge Koeltl:

This Office represents the Commissioner of Social Security, defendant in the above-captioned action. We write respectfully, on behalf of the parties, to request an adjournment of the Court's briefing schedule.

Defendant has filed an answer, and the parties' motions for judgment on the pleadings are now pending. Under the Court's briefing schedule, defendant's motion for judgment on the pleadings is due by March 20, 2008, plaintiff's response is due by April 10, 2008, and defendant's reply, if any, is due by April 24, 2008. Due to the press of other business, I am unable to meet the Court's deadline under the current briefing schedule. Accordingly, I respectfully request that the Court's briefing schedule be amended as follows:

- (1) Plaintiff shall serve a motion for judgment on the pleadings by April 23, 2008;
- (2) Defendant shall serve a cross-motion in opposition and in support of judgment on the pleadings by May 23, 2008;
- (3) Plaintiff shall serve a reply, if any, by June 6, 2008.

No previous request for an extension has been requested. Plaintiff's counsel has consented to this request.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


JOHN E. GURA, Jr.
Assistant United States Attorney
Tel. No.: (212) 637-2712
Fax. No.: (212) 637-2750

cc: Charles E. Binder, Esq.
(By Fax)